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Serial No.: 09856740

Confirmation No.: 3768

Applicant: Monfreux-Gailard et al.

Atty. Ref.: PA-00105US

**REMARKS:****REMARKS REGARDING CLAIMS AMENDMENTS:**

Claims 1-12, 15-18 and 23-40 have been withdrawn by the Examiner. Reconsideration of the withdrawal of claims 15-18, which are all dependent upon independent claim 13 is requested in view of the amendments presented in this paper.

Claim 14 has been amended to clean-up the Markush group language such that the group now consists of acrylic acid, methacrylic acid, beta-alkylacrylic acid, esters of acrylic acid, methacrylic acid, beta-alkylacrylic acid and monoalkyleneglycol or polyalkyleneglycol, acrylamide, methacrylamide, vinylpyrrolidone, itaconic acid, maleic acid, 2-acrylamido-4-sulfonic acid (AMPS) or vinyl sulfonic acid.

Claims 19 and 20 have been indicated as being allowed but objected to as being dependent upon a rejected base claim 13. Independent claim 13 has been amended to include the recitations of allowable claim 19 such that now the claim includes the di-n-alkylamine limitation. For clarity purposes claim 20 has been amended to replace the term n-alkylamine with the di-n-alkylamine limitation. Applicant's representative submits that these amendments place the application in a condition for immediate allowance.

Support for the above amendments to the claims can be found in the original specification as filed.

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**IN RESPONSE TO THE OFFICE ACTION:**

**REJECTION UNDER 35 U.S.C. § 112:**

Examiner has rejected claim 14 under 35 U.S.C. § 112 as allegedly being indefinite and failing to particularly point out the Applicants' invention. Specifically the Examiner has indicated that the Markush group language is indefinite in defining the compounds encompassed by this group.

In response, Applicant has amended claim 14 to clean-up the Markush group language. Specifically the objected to terms have been eliminated and the amended claim recites that the group encompasses: acrylic acid, methacrylic acid, beta-alkylacrylic acid, esters of acrylic acid, methacrylic acid, beta-alkylacrylic acid and monoalkyleneglycol or polyalkyleneglycol, acrylamide, methacrylamide, vinylpyrrolidone, itaconic acid, maleic acid, 2-acrylamido-4-sulfonic acid (AMPS) or vinyl sulfonic acid. Applicants' representative submits that these amendments utilize terms well known and accepted in the art and thus make clear the scope of the claimed subject matter.

This amendment is intended to address the specific concern indicated by the Examiner in the Office Action. Applicant submits that this amendment is not intended to narrow or change the scope of the claims.

Applicant submits that the above amendment obviates the rejection of the claim under 35 U.S.C. § 112, second paragraph, and thus ask that the Examiner reconsider and withdraw the rejection of the claim and indicate allowance in the next paper from the Office.

**REJECTION UNDER 35 U.S.C. § 102 / 103:**

Claims 13-14 and 21-22 have been rejected under 35 U.S.C. § 102 as being anticipated by the Fong reference or in the alternative the claim are rejected under 35 U.S.C. § 103 in view of the Fong reference.

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Applicants have amended claim 13 so as to recite the limitation of allowed claim 19 such that the amidification agent is a di-n-alkylamine. In view of this amendment, Applicants submit that the basis for the above amendment has been obviated and thus the application is now in a condition for immediate allowance.

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REQUEST FOR RECONSIDERATION OF THE WITHDRAWAL OF CLAIM 15-18:

Claims 15-18 have been withdrawn by the Examiner pursuant to a Restriction Requirement under 37 CFR 1.142(b).

Applicants request that the Examiner reconsider and rejoin dependent claims 15-18 in view of the above noted amendment. Specifically

Further to the extent that claims 15-18 are dependent upon independent claim 13 under the provisions of 35 U.S.C. §112, 4<sup>th</sup> paragraph, all of the limitations of independent claim 13 are expressly and inherently recited in claims 15-18. Applicants submit that the reasons for allowance of independent claim 13 are equally applicable to claims 15-18. Further, claim 13 now forms a generic claim from which claim 15-18 are now dependent. Therefore nothing in the teaches or suggests the subject matter of the generic and independent claim 13 and thus the same reasons for allowance are applicable to dependent 15-18.

Given the above, Applicants request reconsideration and rejoinder of claim 15-18 and that the Examiner indicate the allowance of the claims in the next paper from the Office.

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The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 13-3082, Order No. PA-00105US.

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In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

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Applicant requests that until such time a formal change in correspondence address is submitted that the Office continue to mail all correspondence to the address of record which should be:

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Respectfully submitted,



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